

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of optional non-standard meter rider, by Florida Power & Light Company

Docket No. 130223-EI

Filed: April 15, 2014

FLORIDA POWER & LIGHT COMPANY'S MOTION FOR PROTECTIVE ORDER FOR CERTAIN DOCUMENTS PROVIDED IN RESPONSE TO PUBLIC COUNSEL'S FIRST REQUEST FOR PRODUCTION (No. 2)

Pursuant to section 366.093(3), Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, Florida Power & Light Company ("FPL"), hereby moves the Florida Public Service Commission (the "Commission"), through the Prehearing Officer, for a temporary protective order to exempt from section 119.07(1), Florida Statutes, certain confidential documents provided in response to the Office of Public Counsel's ("OPC") First Request for Production (No. 2).

1. OPC has requested that it be permitted to inspect or take possession of documents provided in response to OPC's First Request for Production (No. 2).

2. Subsection (6)(c) of Rule 25-22.006, Florida Administrative Code, provides in relevant part as follows with respect to a utility allowing OPC to take possession of the utility information:

[T]he utility may request a temporary protective order exempting the information from Section 119.07(1), Florida Statutes. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, the Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

3. The confidential documents include, but is not limited to, information related to competitive interests, the disclosure of which could harm the competitive business of the

provider of the information. This confidential information is exempt from the Public Records Act pursuant to section 366.093(3)(e), Florida Statutes.

4. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC the confidential information included in the documents.

5. FPL has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion but preserves the right to contest the confidentiality of the subject documents.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a temporary protective order protecting against public disclosure the confidential documents provided in response to OPC's First Request for Production (No. 2).

Respectfully submitted this 15th day of April 2014.

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**CERTIFICATE OF SERVICE
DOCKET NO. 130223-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 15th day of April 2014, to the following:

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